

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MEBRHATO TSEHAI,

1:05-cv-00127-AWI-GSA-PC

Plaintiff,

ORDER ADOPTING FINDINGS &  
RECOMMENDATIONS  
(Doc. 18.)

vs.

ADAMS, et al.,

ORDER DISMISSING ACTION FOR  
FAILURE TO STATE A CLAIM

Defendants.

ORDER DIRECTING CLERK TO CLOSE CASE

Mebrhato Teshai ("plaintiff") is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On June 24, 2008, findings and recommendations were entered, recommending that this action be dismissed with prejudice based on plaintiff's failure to state a claim upon which relief can be granted under section 1983. Plaintiff was provided an opportunity to file objections to the findings and recommendations within thirty days of the date of service of the findings and recommendations.<sup>1</sup> To date, plaintiff has not filed objections or otherwise responded to the findings and recommendations.

<sup>1</sup>The findings and recommendations were served on plaintiff on August 8, 2008. (See Court Docket.)

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 73-  
2 305, this court has conducted a de novo review of this case. Having carefully reviewed the entire  
3 file, the court finds the findings and recommendations to be supported by the record and proper  
4 analysis.

5 Accordingly, THE COURT HEREBY ORDERS that:

- 6 1. The Findings and Recommendations issued by the Magistrate Judge on June 24,  
7 2008, are adopted in full;
- 8 2. This action is dismissed in its entirety with prejudice, based on plaintiff's failure to  
9 state a claim upon which relief can be granted under section 1983 ; and
- 10 3. The Clerk of Court is directed to close this case.

11  
12 IT IS SO ORDERED.

13 **Dated: October 3, 2008**

**/s/ Anthony W. Ishii**  
**CHIEF UNITED STATES DISTRICT JUDGE**